

## **In the United States Patent and Trademark Office**

Applicants: Matthieu Guitton, et al.

Appl. No.: 10/812,298

Filing Date: March 29, 2004

For: METHODS FOR THE TREATMENT  
OF TINNITUS INDUCED BY COCHLEAR  
EXCITOTOXICITY

Confirmation No.: 1803

Examiner: Jennifer M. Kim

Art Unit: 1628

Attorney Docket No.: 067802-3000-001

### **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98. In accordance with the OG Notice of October 19, 2004, "the requirement in 37 CFR 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system." Thus, copies of any pending U.S. patent applications listed on Form PTO/SB/08 are not provided.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114. No fee is believed to be due.

**RELEVANCE OF EACH DOCUMENT**

Documents AQ-AT and AX are in English.

Document AU is in the German Language. A commercially available English language abstract for each of the non-English language documents is provided herewith, where indicated on the attached Form PTO/SB/08. Additional machine-generated translations may be freely available online, to both the Applicant and the PTO. Inasmuch as Applicant has endeavored to provide at least one item that complies with the requirement for a “concise explanation of relevance” for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

The cited Documents include co-pending U.S. Patent Applications as well as Office Actions and other documents issued in, or identified in connection with, a co-pending U.S. Patent Application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

It is believed no additional fees beyond those provided herewith are due; however, the commissioner is authorized to charge any additional fees which may be due to Deposit Account No. 50-5071.

Respectfully submitted,

Date: September 9, 2010

By: /Thomas Haag/

FANELLI STRAIN & HAAG PLLC  
**Customer No. 91436**  
1455 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 20004  
Telephone: 202.621.1840  
Facsimile: 202.621.1844

Thomas A. Haag, Ph.D., Esq.  
Registration No. 47,621  
Attorney for Applicants